



**County of Los Angeles**  
**Sheriff's Department Headquarters**  
4700 Ramona Boulevard  
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

August 25, 2009

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

Dear Supervisors:

**APPROVE ORDINANCE AMENDING LOS ANGELES COUNTY CODE  
RELATING TO CIVIL PENALTIES AND ADDITIONAL ASSESSMENTS  
FOR VIOLATIONS OF PARKING LAWS  
(ALL DISTRICTS) (3 VOTES)**

**SUBJECT**

The Los Angeles County Sheriff's Department (Department) requests that the Board approve an ordinance amending Los Angeles County Code, Title 15 - Vehicles and Traffic, to increase civil penalties, delinquent payment penalties, and additional assessments and to authorize additional collection-related fees for parking violations.

**IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:**

1. Approve the attached ordinance amending Los Angeles County Code, Title 15 - Vehicles and Traffic, to increase civil penalties, delinquent payment penalties, and additional assessments and to authorize additional collection-related fees for parking violations issued in unincorporated areas of Los Angeles County.
2. Approve the implementation of a \$25 administrative fee to process the cancellation of citations for failure to display a disabled placard.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to increase the base penalty amount on selected parking violations, to impose an additional \$5 assessment on all parking violations, and to authorize a special collection fee and a Department of Motor Vehicles (DMV) fee on all delinquent parking violations.

*A Tradition of Service*

The proposed ordinance increases the base penalty amount for five parking violations and establishes the base penalty for one violation. The Legislature mandates in California Vehicle Code Section 40203.5 that agencies within the same county standardize parking penalties to the extent possible. An analysis of the costs and revenue associated with civil parking penalties concluded that Los Angeles County (County) civil parking penalties are below those generally charged by other jurisdictions in the County. In addition, the penalties have not been increased by your Board since 1996. As such, an increase in the base penalty amount is warranted at this time.

As a result of the increase in the base penalty amount, the delinquent payment penalty will also increase. The delinquent payment penalty amount imposed is an amount equal to the base penalty amount set forth in Section 15.200.010 with the exception of certain violations of disabled parking and bus zone parking violations where the fine imposed is a flat \$50 penalty. The delinquent payment penalty is assessed upon the failure to pay within the time specified in the Notice of Delinquent Parking Violation.

The proposed ordinance imposes an additional \$5 assessment on all parking violations. Effective January 1, 2009, Senate Bill 1407 modified California Government Code Section 70372(b) to require the remittance of \$4.50 per parking citation to the State Court Facilities Construction Fund. This assessment offsets the surcharge imposed by Senate Bill 1407 and minimizes any negative fiscal impact to the County. The remittance of the surcharge to the State without the imposition of an assessment on the violator would be a loss of revenue to the County. Because the DMV will not process delinquent parking violations in partial dollar amounts, the proposed assessment is \$5. This \$5 assessment is in addition to the \$5 assessment currently imposed, \$2.50 of which is for the Courthouse Construction Fund and \$2.50 of which is for the Criminal Justice Facilities Construction Fund.

The proposed ordinance authorizes the imposition of collection-related fees on all delinquent parking violations. In addition to a \$15 administrative fee, a special collection fee and DMV fee may be assessed at the time a delinquent parking violation is processed for special delinquent debt collection and/or filed with the DMV. Currently, the fee charged to the County by the DMV for placing a DMV registration hold is \$3, and, the special collection fee for special delinquent debt collection is 21 percent of the delinquent amount. These fees are passed on to the debtor in the form of a special collection fee and a DMV fee.

#### Implementation of Strategic Plan Goals

The requested Board actions are consistent with the Los Angeles County's Strategic Plan, Goal 1, Operational Effectiveness.

### **FISCAL IMPACT/FINANCING**

The increased penalties will increase revenue to the County. The additional fees paid to the State Court Facilities Construction Fund will be recovered from the increased assessment on parking violations. The collection-related fees will offset the County's costs for delinquent debt collection.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

California Vehicle Code Section 40203.5(a) provides, "The schedule of parking penalties for parking violations and late payment penalties shall be established by the governing body of the jurisdiction where the notice of violation is issued. To the extent possible, issuing agencies within the same county shall standardize parking penalties."

On January 1, 2009, Senate Bill 1407, required that each agency that elects to process parking violations shall pay an additional \$4.50 surcharge to the State Court Facilities Construction Fund on every parking offense where a penalty, fine, or forfeiture is imposed.

In lieu of collecting a fine for a citation for failure to display a disabled placard, California Vehicle Code Section 40226 allows issuing agencies to charge an administrative fee, not to exceed \$25, to process cancellation of a citation in any case where the individual who received the citation can show proof that he or she had been issued a valid placard at the time the citation was received. The ordinance imposes an administrative fee of \$25 for cancellation of a citation for failure to display a disabled placard. Revenue received from this administrative fee will be deposited to the General Fund, consistent with parking fines and penalties received from parking citations.

Pursuant to Government Code Section 66018, the Board of Supervisors must, prior to adopting a new fee or approving an increase in an existing fee, hold a public hearing at which oral or written presentations may be made, as part of a regularly scheduled meeting. Notice of the time and place of the meeting must be published in accordance with Government Code, Section 6062a.

County Counsel has reviewed and approved this ordinance amendment as to form.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

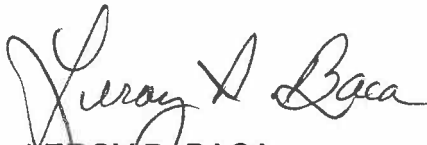
Approval of the recommended actions will not have a negative impact on the Department's current operations and services.

The Honorable Board of Supervisors  
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**CONCLUSION**

Upon approval by your Board, please return three adopted copies of this Board letter and three adopted copies of the Ordinance to the Department's Community Oriented Policing Services Bureau.

Sincerely,

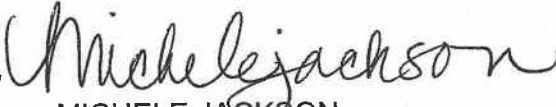


LEROY D. BACA  
SHERIFF

## ANALYSIS

This ordinance amends Title 15 - Vehicles and Traffic of the Los Angeles County Code relating to civil penalties and additional assessments for violations of parking laws. This ordinance increases certain civil penalties and delinquent payment penalties, authorizes additional collection-related fees, and imposes an assessment pursuant to Section 70372(b) of the California Vehicle Code for violations of parking laws.

ROBERT E. KALUNIAN  
Acting County Counsel

By   
MICHELE JACKSON  
Deputy County Counsel

MJM

2/126/09 (requested)

2/27/09 (revised)

6/8/09 (revised)

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 15 - Vehicles and Traffic of the Los Angeles County Code, relating to civil penalties and additional assessments for violations of parking laws.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Section 15.200.010 is hereby amended to read as follows:

**15.200.010 Civil penalties for violations of parking laws.**

A. The schedule of parking penalties for violations of provisions of the Los Angeles County Code is as follows:

Section	Description	Penalty
15.20.070	FAILURE TO OBEY SIGNS/CURB MARKINGS	<del>\$45.00</del> <u>\$50.00</u>
...		
15.64.020	PARKING LOADING ZONES (COMMERCIAL)	<del>\$40.00</del> <u>\$65.00</u>
...		
<del>15.64.050</del>	<del>NO COMMERCIAL (MORE THAN 6,000 POUNDS) PARKING 2:00 A.M. — 6:00 A.M., RESIDENTIAL ZONE</del>	<del>\$40.00</del>

15.64.052	NO COMMERCIAL (MORE THAN 10,000 POUNDS) PARKING, RESIDENTIAL DISTRICT AT ANY TIME	<del>\$40.00</del> <u>\$65.00</u>
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15.64.055	COMMERCIAL VEHICLE (MORE THAN 6,000 POUNDS) PARKED IN VIOLATION OF POSTED LIMITS	<del>\$40.00</del> <u>\$65.00</u>
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15.64.400	DISABLED PARKING ON STREET	\$330.00
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WITH PROOF OF VALID PLACARD --

ADMINISTRATIVE FEE

\$25.00

15.64.410	DISABLED PARKING OFF STREET	\$330.00
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WITH PROOF OF VALID PLACARD --

ADMINISTRATIVE FEE

\$25.00

...

B. The schedule of penalties for violations of standing and parking laws contained in the Vehicle Code of the State of California is as follows:

Section	Description	Penalty
<u>4000(a)</u>	<u>REGISTRATION REQUIRED</u>	<u>\$60.00</u>
...		
5204(a)	NO TAGS <u>TABS DISPLAYED</u>	\$60.00
	WITH PROOF OF CORRECTION	\$10.00
...		
22500.1	PARKING IN FIRE LANE	<del>\$55.00</del> <u>\$65.00</u>
...		
22507.8(a)	DISABLED NO VISIBLE PLACARD OR PLATE	\$330.00
	<u>WITH PROOF OF VALID PLACARD --</u> <u>ADMINISTRATIVE FEE</u>	<u>\$25.00</u>
22507.8(b)	<del>DISABLED</del> OBSTRUCTION OF <u>DISABLED</u> PARKING SPACE	\$330.00
...		



**SECTION 2.** Section 15.200.020 is hereby amended to read as follows:

**15.200.020 Additional assessments.**

A. An assessment of \$5.00 shall be added to each parking penalty under Section 15.200.010, consisting of \$2.50 assessed for the Courthouse Construction Fund pursuant to Sections 76100 and 76219 of the California Government Code ~~of the state of California~~ and \$2.50 assessed for the Criminal Justice Facilities Construction Fund pursuant to Section 76101 of the California Government Code.

B. Under Section 1465.5 of the California Penal Code ~~of the state of California~~, an additional penalty of \$2.00 for every \$10.00 or fraction thereof shall be assessed pursuant to Section 42001.5 of the California Vehicle Code for violations of the ~~handicapped~~ disabled parking laws set forth in Section 22507.8 of the California Vehicle Code. This additional penalty is included in the penalty amount provided in Section 15.200.010.

C. Under Section 1465.6 of the California Penal Code ~~of the state of California~~, the penalty provided in Sections 15.200.010 and 15.200.020, subsection B, for a violation of Section 22507.8 of the California Vehicle Code and the penalty provided in 15.200.010 for a violation of Section 22522 of the California Vehicle Code shall be increased by 10 percent. This penalty increase is included in the penalty amount provided in Section 15.200.010.

D. An assessment of \$5.00 shall be added to each parking penalty under Section 15.200.010, \$4.50 of which shall be assessed for the State Court Facilities Construction Fund pursuant to Section 70372(b) of the California Government Code.

E. Additional assessments may be added to each parking penalty under

Section 15.200.010 as mandated by the State of California. The assessments in subsections A, B, C, and D of this section may be increased or decreased as mandated by the State of California.

**SECTION 3.** Section 15.200.030 is hereby amended to read as follows:

**15.200.030 Additional penalties and related costs for delinquent parking violations.**

A. ~~Additional penalties and the administrative fee provided in this section for delinquent parking violations shall be assessed upon filing of notice of delinquent parking violation with the Department of Motor Vehicles, state of California, in accordance with the procedures set forth in Sections 40206 through 40220 of the Vehicle Code of the state of California.~~ All delinquent parking violations may be assessed a delinquent payment penalty in an amount equal to the penalty set forth in Section 15.200.010, with the exception of those violations of disabled parking and bus zone parking laws under Sections 22500(i), 22500(l), 22507.8, and 22522 of the California Vehicle Code and Sections 15.64.110, 15.64.400, and 15.64.410 of the Los Angeles County Code in which a \$50.00 delinquent payment penalty will be assessed. The delinquent payment penalty shall be assessed upon the failure to pay within the time required by the notice of delinquent parking violation as authorized by the California Vehicle Code.

B. ~~Except in the case of a violation of the handicapped parking and bus zone parking laws under Sections 22507.8, 22522, 22500, subdivision (i) and 22500, subdivision (l) of the Vehicle Code of the state of California, if the penalties provided in Sections 15.200.010 and 15.200.020 are not paid on the day provided in the notice of~~

~~parking violation, the penalty for delinquent parking penalty shall be a doubling of the penalties set forth in Sections 15.200.010 and 15.200.020.~~

~~C. B. In addition to the penalty for delinquent parking payment penalty violation provided in subsection A of this section, and in addition to the penalty provided in Sections 15.200.010 and 15.200.020 in the case of a violation of Sections 22507.8, 22522, 22500, subdivision (i) or 22500, subdivision (l) of the Vehicle Code of the state of California, an administrative fee of \$15.00, a special collection fee, and a department of motor vehicles fee as established by the California Department of Motor Vehicles, if applicable, may be assessed on all delinquent parking violations. These fees shall be assessed at the time a delinquent parking violation is filed with the California Department of Motor Vehicles and/or is processed for special delinquent debt collection.~~

[15200010MJCC]